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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

CHARLES T. DAVIS,
Plaintiff,
v.
D.L. RUNNELS, et al.,
Defendants.

No. 2:05-cv-1898-JAM-EFB P

ORDER

Plaintiff, a state prisoner proceeding pro se, has filed this civil rights action seeking relief under 42 U.S.C. § 1983. On July 29, 2013, the magistrate judge filed findings and recommendations, which were served on all parties and which contained notice to all parties that any objections to the findings and recommendations were to be filed within fourteen days. Neither party filed objections.

On September 5, 2013, the undersigned adopted the findings and recommendations. ECF No. 98. Thereafter, plaintiff filed untimely objections to the findings and recommendations. ECF No. 102. He now requests reconsideration of the undersigned’s September 5, 2013 order in light of his belated objections. ECF No. 104.

In an abundance of caution, the court will grant plaintiff’s request to consider his objections. Accordingly, the September 5, 2013 order adopting the findings and recommendations is hereby reconsidered in light of the plaintiff’s recently submitted objections.

1 However, nothing presented in plaintiff's objections warrants vacating that order.

2 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304, this
3 court has conducted a de novo review of this case, including plaintiff's objections to the findings
4 and recommendations of the magistrate judge. Having carefully reviewed the entire file, the court
5 again finds the findings and recommendations to be supported by the record and by proper
6 analysis.

7 Accordingly, IT IS HEREBY ORDERED that the Order entered on September 5,
8 2013 (ECF No. 98) adopting in full the findings and recommendations and granting defendants'
9 motion for summary judgment in part is CONFIRMED. The Clerk of the Court shall terminate
10 plaintiff's motion for reconsideration (ECF No. 104).

11 DATED: October 23, 2013

12 /s/ John A. Mendez
13 UNITED STATES DISTRICT COURT JUDGE
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